

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:	)	Chapter 11
	)	
RESIDENTIAL CAPITAL, LLC,	)	Case No. 12-12020 (MG)
	)	
Debtor.	)	Adv. Proceeding No. 14-02008 MG
	)	
RESCAP LIQUIDATING TRUST,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
PHH MORTGAGE CORP.,	)	
	)	
Defendant.	)	
	)	

**DECLARATION OF DANIEL F. MARKHAM**

Daniel F. Markham, under penalty of perjury, declares and states as follows:

1. I am an attorney with the law firm of Gibbons, PC, counsel for Defendant PHH Mortgage Corporation (“PHH Mortgage”) in the above-captioned matter. I submit this Declaration in conjunction with PHH Mortgage’s Motion to Withdraw the Reference and Transfer Venue to the District of Minnesota. The facts stated herein are based on my examination of the public records cited below.
2. Attached hereto as Attachment 1 is a true and correct copy of the Complaint and its Exhibit A, filed against PHH Mortgage in the United States District Court for the District of Minnesota by Residential Funding Company, LLC on December 14, 2013, under Case Number 13-cv-3503 (ECF No. 1).
3. Attached hereto as Attachment 3 is a true and correct copy of ECF Number 5537 in *In re ResCap*, Case No. 12-12020, filed in the United States Bankruptcy Court for the Southern District of New York.

4. Attached hereto as Attachment 3 is a true and correct copy of ECF Number 5701 in *In re ResCap*, Case No. 12-12020, filed in the United States Bankruptcy Court for the Southern District of New York.

FURTHER DECLARANT SAYETH NOT

Dated: July 11, 2014

Respectfully submitted,

/s/ Daniel F. Markham

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